

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

MARK PHILLIPS,

Defendant.

X

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X

NOTICE OF MOTION

Docket # 21 MJ 4062 (MWP)

PLEASE TAKE NOTICE, that upon the annexed Petition for Admission of CAMILLE M. ABATE, the Sponsoring Affidavit of David M. Kaplan, Esq., and all of the accompanying papers, the undersigned moves this Court for permission to appear *pro hac vice* on behalf of the defendant, MARK PHILLIPS, in the above-captioned case, and for such other and further relief as to this Court seems just and proper.

Dated: May 12, 2021
New York, New York



CAMILLE M. ABATE, ESQ.
Attorney for Defendant Mark Phillips
333 Park Avenue South, Suite 3A
New York, NY 10010
(212) 227-9003 ext. 2706
c.abate71@gmail.com

TO:

Clerk of Court, Western District of New York (Rochester)

United States Attorney's Office, 100 State Street, Suite 500, Rochester, NY 14614

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA :

- against - :

MARK PHILLIPS, :

Defendant. :

**MOTION TO APPEAR
PRO HAC VICE**

Docket # 21 MJ 4062 (MWP)

----- X
CAMILLE M. ABATE, at attorney at law duly admitted to practice in the State of New York and in the Southern and Eastern Districts of New York, hereby declares pursuant to 28 U.S.C. § 1746, the following:

1. I have been retained by the defendant, Mark Anthony Phillips, to represent him in the above-captioned case. He has provided me with a copy of the Complaint in this matter and has signed a Letter of Engagement.

2. I am not admitted to practice in the Western District of New York. My practice is in New York City, where I am admitted in the federal courts in the Southern and Eastern Districts of New York, and in the 2nd Circuit Court of Appeals.

3. I have been a practicing criminal defense attorney since 1983, and have been admitted to federal practice since 1993.

WHEREFORE, your affiant respectfully requests that she be admitted to practice in the Western District of New York, pro hac vice, to defend Mr. Phillips in the instant case.

Respectfully submitted,



Camille M. Abate, Esq.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Print

IN THE MATTER OF THE APPLICATION OF

Camille Marie Abate

(Name)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

TO THE HONORABLE Marian W. Payson, JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF NEW YORK:

Camille Marie Abate

, petitioner herein, respectfully states:

1. That petitioner has an office for the practice of law at:

333 Park Avenue South, Suite 3A, New York, NY 10010

2. That petitioner attended the following educational institutions and received the following degrees:

New York University, B.S. in Art Education 1975

New York Law School, J.D. 1982

3. Please complete either (a), (b) or (c):

Admission by Petition

(a) That petitioner was admitted to practice by the Appellate Division of the Supreme Court, _____ Department of the State of New York on the _____ day of _____, _____.

Additional Requirements:

Admission Sponsoring Affidavit

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

*Include the Pro Bono Volunteer Panel Form if you wish to become a member of the Court's Volunteer Pro Bono Panel.

Admission by Certificate of Good Standing

(b) That petitioner was admitted to practice in the United States District Court of the _____ District of New York on the _____ day of _____, _____, and is a member of the bar of the State in which that district court is located and in which the petitioner maintains an office for the practice of law.

Additional Requirements:

Certificate of Good Standing from the Clerk of Court of which he or she is a member (dated no earlier than six months prior to submission to this Court)

Check or money order in the amount of the Attorney Admission fee set forth in the District Court

Schedule of Fees

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

*Include the Pro Bono Volunteer Panel Form if you wish to become a member of the Court's Volunteer Pro Bono Panel.

Pro Hac Vice Admission

(c) That petitioner is admitted to practice in the State of New York

Additional Requirements:

Motion to Appear Pro Hac Vice

Check, Money Order or payment of fee on line in the amount of the Pro Hac Fee set forth in the District Court Schedule of Fees

Admission Petition Form

Admission Sponsor Affidavit

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

4. Petitioner is admitted to the following courts:

New York State, Southern and Eastern Districts of New York, 2d and 4th Circuit
Courts of Appeal

5. Since such admission(s), petitioner has practiced in the following courts:

New York State, Southern and Eastern Districts of New York

and has been involved in the following professional activities:

Adjunct Professor of Law at Brooklyn Law School

6. That petitioner or the petitioner's client (in a case in which the applicant represented the client) has never been held in contempt of court, sanctioned, censured in a disciplinary proceeding, suspended or disbarred by any court or admonished by any disciplinary committee of the organized bar, nor is the subject of any pending complaint before any court. (If number 6 is not true, the applicant shall strike that paragraph and shall file a separate confidential statement under seal specifying the court or disciplinary committee imposing the sanction, the date, the facts giving rise to the disciplinary action or complaint, the sanction imposed, and such other information, including any facts of a mitigating or exculpatory nature as may be pertinent, and such confidential statement, together with the petition, shall promptly be transmitted by the Clerk to the Chief Judge of the District for review.)

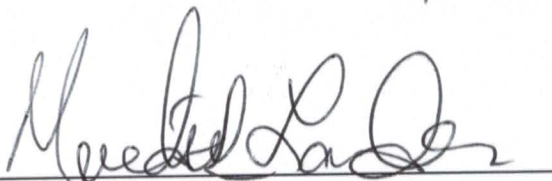
7. That petitioner has read and is familiar with the provisions of Title 28 of the United States Code that pertain to jurisdiction of and venue in a United States District Court, the Federal Rules of Civil and Criminal Procedure, the Federal Rules of Evidence, the Local Rules of Practice for the United States District Court for the Western District of New York and the New York Rules of Professional Conduct (22 NYCRR Part 1200).

WHEREFORE, the petitioner respectfully requests to be admitted as an attorney in the United States District Court for the Western District of New York.

I verify under penalty of perjury that the foregoing is true and correct.


(Signature of Petitioner)

Sworn to before me this 12 day of May, 2021



Notary Public

MEREDITH BLANTON LANDER, ESQ.
Notary Public, State of New York
Reg. No. 02LA6402688
Qualified in New York County
Commission Expires January 13, 2024


DANETTE M CLARKSON
Notary Public – New Hampshire
My Commission Expires Mar 7, 2023

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

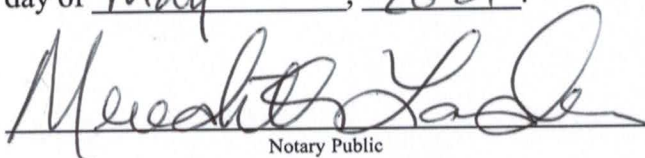
ATTORNEY'S OATH

STATE OF NEW YORK)
) SS:
NEW YORK COUNTY)

I, Camille Marie Abate of Ewing, New Jersey
City, State
do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United
States District Court for the Western District of New York, uprightly and accordingly to law; and I will
support the Constitution of the United States. So help me God.


Signature of Attorney

Subscribed and sworn to before me this 12
day of May, 2021.


Notary Public

MEREDITH BLANTON LANDER, ESQ.
Notary Public, State of New York
Reg. No. 02LA6402688
Qualified in New York County
Commission Expires January 13, 2024

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

APPENDIX TO CIVILITY PRINCIPLES

OATH OF OFFICE

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York; I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense that I do not believe to be honestly debatable under the law of the land;

In maintaining the causes confided to me, I will employ only means that are honorable, and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidences and preserve inviolate the secrets of my client, and will accept compensation solely from the client or a third-party with the knowledge and approval of the client;

I will abstain from all offensive behavior and advance no fact prejudicial to the honor and reputation of a party or witness, unless my ethical duty requires;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed upon members of the bar who practice law in this State and before this Court.

A handwritten signature in blue ink, appearing to read "Camille M. Clark", is written over a horizontal line.

(Signature)

UNITED STATES DISTRICT COURT

Western District of New York

ATTORNEY DATABASE & ELECTRONIC CASE FILING REGISTRATION FORM

The Clerk's Office maintains a computerized database of attorneys admitted in the District. To ensure the data we enter for you is correct, please fill out the form below and submit it with your other papers when you are admitted. Our local rules require you to report name, firm affiliation, office address or phone number changes within 30 days.

This form shall also be used to register for an account on the Courts' Case Management/Electronic Files (CM/ECF) system. Registered attorneys will have privileges to electronically submit and to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration:

Instructions: PLEASE TYPE OR PRINT. If you use two surnames or have a hyphenated surname, please indicate how you would like the name entered into our records, i.e., first surname as middle name, both surnames in last name field, etc.

First Name: Camille

Middle Name or Initial: M.

Last Name: Abate

Firm Name: Nicholas Goodman & Associates (of counsel)

Firm Address: 333 Park Avenue South

Suite: 3A

City: New York State: NY Zip: 10010 -

Phone Number: 917_386_2706 FAX Number: 212_937_2112

Primary E-Mail Address: c.abate71@gmail.com

Additional E-Mail Address:

Does your E-Mail Software support HTML messages? Yes X No

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the Western District of New York.

Method of Admission: pro hac vice
(Petition, Certificate of Good Standing, *pro hac vice*)

Date admitted to practice in this Court: _____
(write "pending" if admission is pending)

If admitted pro hac vice: _____
Date motion for pro hac vice granted: pending in case number: 21 MJ 4062 (MWP)

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents.

Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised.


Signature of Registrant

5/12/2021
Date

Please note that this form is required to be completed by any new attorneys seeking to be admitted to this District. If you have been previously admitted to practice in this court and are submitting this registration to request an account, you may fax the form to (716) 551-1705, or mail it to the following address:

Mary C. Loewenguth
United States District Court
Attn: CM/ECF Registration
2 Niagara Square
Buffalo, New York 14202

***OPTIONAL:** Your login and password will be sent to you by the Office of the Clerk via the e-mail address you provided on your registration form. **If you prefer to have your login and password sent by U.S. Mail, please write the address below and mark your initials as approval for an alternate delivery method:**

Firm Address: _____

Attorney Initials: _____